

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

GIBSON, INC.,

Plaintiff,

V.

ARMADILLO DISTRIBUTION
ENTERPRISES, INC. and
CONCORDIA INVESTMENT
PARTNERS, LLC,

Defendants.

$\S\S$

Civil Action No. 4:19-cv-00358-ALM

PARTIALLY OPPOSED MOTION FOR LEAVE TO FILE
DEFENDANTS' SUPPLEMENTAL EXHIBIT LIST

Defendants Armadillo Distribution Enterprises, LLC and Concordia Investment Partners, LLC hereby move for leave to supplement their exhibit list to add certified copies of four expired Gibson design patents as exhibits. Defendants' proposed supplemental exhibit list is attached hereto as Exhibit 1. Defendants previously served Gibson with Bates-stamped copies of the four certified design patents.

Gibson has no objection to adding the two that correspond “to the Flying V and the Explorer” (DTX-3959 and DTX-3960) and no objection to their admissibility, but still appears to object to Defendants adding to the exhibit list the two Gibson design patents corresponding to Gibson’s SG and ES body styles (DTX-3961 and DTX-3962).

Defendants have good cause for adding these exhibits because during the 2022 trial, counsel for Gibson asked Mr. Davidson, Gibson's witness, about Gibson design patents. Tr. 506. Counsel for Gibson also asked Mr. Robinson, Defendants' witness, about Gibson design patents. Tr. 1489. Under the circumstances, Defendants have good cause for supplementing their

exhibit list with all four of the Gibson design patents. Moreover, since Gibson introduced the topic, Gibson will not be prejudiced by their introduction and admission as exhibits.

In view of the foregoing, the Court should grant Defendants' Motion.

DATED: February 18, 2025

Respectfully submitted,

/s/ Jerry R. Selinger

Jerry R. Selinger, Lead Counsel
State Bar No. 18008250
PATTERSON + SHERIDAN, LLP
1700 Pacific Ave., Suite 2650
Dallas, Texas 75201
Tel: (214) 272-0957
Fax: (713) 623-4846
jselinger@pattersonsheridan.com

Craig V. Depew
Texas State Bar No. 05655820
PATTERSON + SHERIDAN, LLP
24 Greenway Plaza, Suite 1600
Houston, Texas 77046
Tel: 832-968-7285
Fax: 713-623-4846
cdepew@pattersonsheridan.com

Kyrie K. Cameron
State Bar No. 24097450
PATTERSON + SHERIDAN, LLP
24 Greenway Plaza, Suite 1600
Houston, Texas 77046
Tel: (713) 623-4844
Fax: (713) 623-4846
kcameron@pattersonsheridan.com

ATTORNEYS FOR DEFENDANTS
ARMADILLO DISTRIBUTION
ENTERPRISES, INC. AND CONCORDIA
INVESTMENT PARTNERS, LLC

CERTIFICATE OF CONFERENCE

The parties have conferred via email and by telephone pursuant to Local Rule CV-7(h), and plaintiff agrees in part and opposes in part the foregoing motion as detailed above.

/s/ Jerry R. Selinger
Jerry Selinger

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing document was served on all counsel of record via the Court's CM/ECF electronic filing system on February 18, 2025.

/s/ Jerry R. Selinger
Jerry Selinger